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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,927	11/01/2001	Joseph Morris	210166US67	3502
22850	7590	02/03/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			ENG. GEORGE	
1940 DUKE STREET			ART UNIT	
ALEXANDRIA, VA 22314			PAPER NUMBER	

2643

DATE MAILED: 02/03/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/682,927

Applicant(s)

MORRIS, JOSEPH

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Office action is in response to the amendment filed 10/10/2003 (paper no. 9) and supplemental amendment filed (11/13/2003).

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the telephone number converter must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US PAT. 6,141,341 hereinafter Jones) in view of Robin et al. (US PAT. 6,137,877 hereinafter Robin).

Regarding claim 1, Jones discloses an Internet Protocol telephone system for routing a call between a first telephone line interface (18, figure 2) and a second telephone line interface (14, figure 2) depending on an entered number (col. 2 lines 17-31), the system comprising a telephone digit detector (52, figure 5) for detecting and buffering a series of digits received from a telephone line connector (col. 3 lines 27-29 and col. 9 lines 22-28), a call processor (32, figure 4) for determining if the buffered series of digits matches a stored telephone number (col. 3 lines 29-30) and a telephone line switch (10) for directing an outgoing call to the first telephone interface, i.e., a POTS mode, and to the second telephone line interface, i.e., a VoIP mode, based on an output of the caller processor (col. 3 lines 30-34 and col. 9 lines 40-61). Jones differs from the claimed invention in not specifically teaching the call processor comprising a telephone number converter for converting the buffered series of digits from a first number, accessible by the first telephone line interface but not accessible by via the second telephone line interface, to a second number accessible via the first and second telephone line interface such that the call processor directs the outgoing call to the second telephone line interface using the second number. However, Robin teaches a system for routing a dialed telephone number comprising a microprocessor (40, figure 1), wherein the microprocessor is capable of converting from a first number to a second number accessible by local service provider or Internet service provider so that the microprocessor directs the outgoing call using the second number, thereby permits a telephone subscriber to automatically use different telephone transmission routes depending on

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the type of call being made (col. 11 line 24 through col. 13 line 55). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Jones in having the call processor comprising a telephone number converter for converting the buffered series of digits from a first number, accessible by the first telephone line interface but not accessible by via the second telephone line interface, to a second number accessible via the first and second telephone line interface such that the call processor directs the outgoing call to the second telephone line interface using the second number, as per teaching of Robin, in order to permit the telephone subscriber to automatically use different telephone transmission routes depending on the type of call being made.

Regarding claims 2-5, Robin teaches the stored telephone number comprising a toll-free number or an information number, wherein the toll-free number or the information number includes an 800 number (col. 11 lines 48-52).

Regarding claim 6, Jones discloses the second telephone interface (14, figure 2) comprising a Voice-over-IP interface (col. 2 lines 17-25 and col. 9 lines 40-46).

Regarding claim 7, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claims 8-11, the limitations of the claims are rejected as the same reasons set forth in claims 2-5.

Regarding claim 12, the limitations of the claim are rejected as the same reasons set forth in claim 6.

Regarding claim 13, the limitations of the claim are rejected as the same reasons set forth in claim 1.

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Regarding claim 14, the limitations of the claim are rejected as the same reasons set forth in claims 2-5.

Regarding claim 16, the limitations of the claim are rejected as the same reasons set forth in claim 6.

Response to Arguments

5. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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7. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

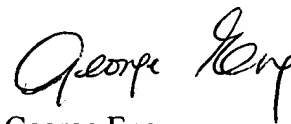
(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is (703) 308-9555. The examiner can normally be reached on Tuesday to Friday from 7 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



George Eng
Primary Examiner
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